

13. (Amended) The method of claim 12, wherein the mobile software agent maintains [the] a trip report that is reported to a host computer upon return of the mobile software agent to the host computer.

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on August 7, 2002, and the references cited therewith.

Claims 8 and 13 are amended, no claims are cancelled, and no new claims are added; as a result, claims 1-21 are now pending in this application.

Claim Objections/Rejections Under 35 U.S.C. § 112

Claim 8 was objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim, or amend the claim to place the claim in proper dependent form, or rewrite the claim in independent form. Claim 8 was further rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 8 has been amended to correct the apparent lack of antecedent basis, such that it now is clearly further limits the subject matter of both claims 1 and 7.

Rejections Under 35 U.S.C. § 103

Claims 1-4, 7-9, 11, 15-17, 20, and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson et al. (U.S. Patent No. 5,987,135).

Applicant first objects to what is structured as a single reference § 103 rejection, and requests that the Examiner, should this objection be maintained, formally cite references showing all limitations of the pending claims pursuant to M.P.E.P. § 2144.03.

Johnson teaches a system and method for controlling and monitoring remote distributed processing systems, comprising downloading agent-application programs to middleware modules on the distributed processing systems.

In contrast, the present invention as claimed recites managing networked computers by specifying a preferred state, defining selected computers to be maintained in this preferred state, and using a mobile software agent that travels autonomously between the selected networked computers to bring the selected networked computers that deviate from the preferred state to the preferred state.

The Office Action maintains that Richardson (US. Pat. No. 6,317,788, not previously cited) anticipates autonomous travel of such an agent between selected networked computers, citing col. 3, ln. 20-23 which state that "Managing console software 14 is a proactive network system management software package that allows administrators to automatically deploy software updates, agents, and policies to every managed node". The cited section teaches only that console software may automatically deploy software changes to managed computers, and fails to contemplate that these changes if deployed as a software agent may comprise an agent that travels autonomously between the managed computers.

Particular attention is drawn to the structure of the claims, such as claim 1, which recites that the software agent travels autonomously between selected networked computers, where the selected networked computers are computers selected to be kept in a preferred state. That is, the software agent travels autonomously from selected networked computer to selected networked computer, while the cited references contemplate only agents that travel from a console or server to a single networked computer at a time. An agent that travels autonomously between selected networked computers or managed computers is distinctly different from a server that must send updates to each networked managed node independently, as is the case with both Johnson and Richardson.

Claims 5 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson et al. and Richardson (U.S. Patent No. 6,317,788), and further in view of Hamner et al. (U.S. Patent No. 6,076,106).

Because these claims depend from claims believed to be in condition for allowance, reexamination and allowance of these claims is respectfully requested. Claim 18 is believed to

be in condition for allowance for the reasons stated above with respect to the Johnson and Richardson references.

Claims 10, 12-14, 18, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson et al. and Richardson as applied to claims 1-4, 7-9, 11, 15-17, 20, and 21 above, and further in view of Walsh (U.S. Patent No. 6,233,601).

Because these claims also depend from claims believed to be in condition for allowance, reexamination and allowance of these claims is further respectfully requested.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 349-9581 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

MURALI SUNDAR

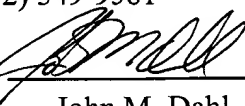
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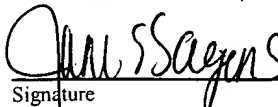


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 12th day of November, 2002.

Jane E. Sagers
Name


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